

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 17-3246-8 MV

vs.

**ANDREW WYATT,**

Defendant.

MOTION TO DISMISS INDICTMENT  
AGAINST ANDREW WYATT WITHOUT PREJUDICE

The United States of America, pursuant to Fed. R. Crim. P. 48, respectfully moves the Court to dismiss defendant Andrew Wyatt from Counts 1, 2, and 11 of the First Superseding Indictment filed April 10, 2018 (Doc. 20), in cause number 18-03246 MV. As grounds for this request, the United States submits that dismissal without prejudice is in the best interests of justice. The United States is not requesting that the Court dismiss any charges in the First Superseding Indictment involving any other named defendant other than Mr. Wyatt. Due to the nature of this motion, the defendant's position was not obtained.

WHEREFORE, the United States respectfully requests this Court enter an order dismissing, without prejudice, Andrew Wyatt from Counts 1, 2, and 11 of the First Superseding Indictment in this cause.

Respectfully submitted,

JOHN C. ANDERSON  
United States Attorney

Electronically Signed: 03/10/2020

LETITIA CARROLL SIMMS  
Assistant United States Attorney  
Post Office Box 607  
Albuquerque, New Mexico 87103  
(505) 346-7274